

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

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October 29, 2020

MEMORANDUM

The Honorable Edward M. Chen
United States District Judge

RE: **Ramos, Cesar**
Docket No. 0971 3:19CR00594-001 EMC
STATUS REPORT

Your Honor:

On March 25, 2020, Your Honor sentenced Mr. Ramos to time served and three years supervised release for violation of Count One: Distribution of Heroin, 21 U.S.C. §§ 841(a)(1) and (b)(1)(C), a Class C Felony. Special Conditions include: Must not commit another federal, state, or local crime; search by any law enforcement officer; pay \$100 special assessment; collection of DNA; shall not be present in the area in San Francisco bordered on the west by Polk Street and South Van Ness Avenue, on the north by Geary Street, on the east by Powell Street and 3rd Street, and on the south by Mission Street, with the following exceptions: to attend any court proceedings at 450 Golden Gate Avenue, or after requesting and receiving approval from the probation officer; and to travel on Bart, MUNI, or other public transport through the area, but may not then alight from said transportation and enter the area on foot.

On June 26, 2020, a Petition for Warrant for Person Under Supervision was filed alleging one charge that Mr. Ramos failed to report or contact the probation office after absconding from the Department of Health and Human Services, Office of Refugee Resettlement.

On September 3, 2020, in a filed Amended Petition, Your Honor took notice of three additional charges. More specifically, new criminal conduct that included possession of controlled substances for sale and battery, and violation of his stay away order.

On September 15, 2020, before the Magistrate Court, a Detention Hearing and formal findings was waived by the defense without prejudice. At that time, Mr. Ramos did not have a release address.

On October 6, 2020, a Status Conference was held via videoconference before the Court. At the request of counsel, the matter was continued to November 4, 2020, at 2:00 p.m. for a further status hearing. Mr. Ramos remained detained at the Santa Rita Jail under the custody of the U.S. Marshal.

On October 19, 2020, a Status Conference was held via videoconference before the Court. Mr. Ramos' appearance was waived. The Court was informed that Mr. Ramos was currently being housed as a courtesy until October 21, 2020, at the San Francisco County Juvenile Detention Center due to his alleged age being 17 years old. The U.S. Marshal agreed to contact other juvenile detention centers in surrounding Bay Area counties to house Mr. Ramos, as it was the Court's preference to hold Mr. Ramos in custody pending these matters. The Court also ordered that if Mr. Ramos was to be released from the San Francisco County Juvenile Detention Center, he may reside at the Huckleberry House or other juvenile shelter facility with electronic monitoring implemented at the discretion of the U.S. Probation Office. On that same date, the Court was advised by the U.S. Marshals Service that San Mateo, Marin, and Contra Costa counties will not house Mr. Ramos.

On October 21, 2020, Mr. Ramos, by way of his state appointed counsel, Ean Vizzi, appeared before the San Francisco County Superior Court on two outstanding bench warrants. The San Francisco County Superior Court remanded Mr. Ramos into the custody of the San Francisco Sheriff's Department with no bail but to be housed at the San Francisco County Juvenile Detention Center.

On October 26, 2020, Mr. Ramos appeared before a San Francisco County Superior Court Judge and was ordered released on his own recognizance. There was no determination made regarding the age of Mr. Ramos. The matter was continued to November 20, 2020, before the San Francisco County Superior Court for a hearing on age determination.

As a result of Mr. Ramos being released from the San Francisco County Juvenile Detention Center on October 26, 2020, the probation office contacted Huckleberry House in San Francisco and arranged for his transfer to that program per the Court's order dated October 19, 2020. Mr. Ramos was transferred by the U.S. Marshals Service from the Juvenile Detention Center to Huckleberry House located at 1292 Page Street, San Francisco. The Court was informed of the change in status at the Huckleberry House youth program, which does not allow the utilization of electronic monitoring while at the program.

On October 27, 2020, Family and Children Services in San Francisco were contacted by the Huckleberry House and opened an investigation in order to confirm Mr. Ramos' age and possible reunification with his mother, who resides in Honduras. On October 29, 2020, the probation office spoke with Benjamin Gutierrez, a social worker with San Francisco Family and Children Services, who reported that he attempted to meet with Mr. Ramos at Huckleberry House on October 28, 2020, but was informed that Mr. Ramos did not return to the program the evening prior and a missing person report had been filed with the San Francisco Police Department. On October 29, 2020, the probation office attempted to confirm Mr. Ramos' absconding from the Huckleberry House. Due to confidentiality and Mr. Ramos' decision not to include the probation office when he signed an authorization for release of information, the Huckleberry House could not confirm the client's status.

Mr. Ramos' current whereabouts are unknown at this time.

Should the Court wish to discuss this further prior to next week's scheduled hearing, the probation office is available at the Court's convenience.

Please do not hesitate to contact me if Your Honor needs further information. I can be reached at 415-710-9510.

Respectfully submitted,

Reviewed by:

Joseph Milliken

Joseph Milliken
U.S. Probation Officer
Date Signed: October 29, 2020

Aaron Tam

Aaron Tam
Supervisory U.S. Probation Officer

cc: Jason Kleinwaks, Assistant U.S. Attorney
George Boisseau, Defense Counsel (Appointed)